

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF UNITED STATES OF AMERICA	COURT CASE NUMBER CR 04-00019
DEFENDANT GARY NATHAN PUA	TYPE OF PROCESS SERVICE OF DEPO SUBPOENA

SERVE AT { NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
Gary Nathan Pua
ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)
Saipan, MP

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW United States Attorney's Office, Financial Litigation Unit Sirena Plaza, Suite 500 108 Hernan Cortez Avenue Hagatna, Guam 96910	Number of process to be served with this Form 285	1
	Number of parties to be served in this case	1
	Check for service on U.S.A.	FILED Clerk District Court

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Address, All Telephone Numbers, and Estimated Times Available for Service):

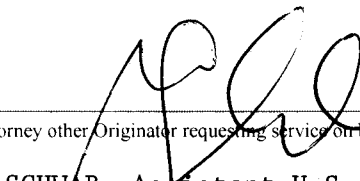
APR 11 2008

Fold

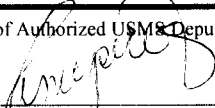
Fold

See attached for information purpose only. Not to be filed with the Court.

For The Northern Mariana Islands
By _____
(Deputy Clerk)

Signature of Attorney other Originator requesting service on behalf of:  MIKEL W. SCHWAB, Assistant U.S. Attorney	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER 671-472-7332	DATE 3/6/8
---	---	----------------------------------	---------------

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process 1	District of Origin No. 093	District to Serve No. 005	Signature of Authorized USM Deputy or Clerk 	Date 3/12/08
---	--------------------	-------------------------------	------------------------------	---	-----------------

I hereby certify and return that I ☐ have personally served, ☒ have legal evidence of service, ☒ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)

GARY NATHAN PUA

☐ A person of suitable age and discretion then residing in defendant's usual place of abode

Address (complete only different than shown above)

3277 CASEY DR; Apt 101
LAS VEGAS NV 89120

Date
04/11/08 Time
11:22 ☐ am ☐ pm

Signature of U.S. Marshal or Deputy

Tel: 702-456-5999 hm / 702-458-3799 FAX *

Service Fee N/A	Total Mileage Charges including endeavors N/A	Forwarding Fee N/A	Total Charges N/A	Advance Deposits N/A	Amount owed to U.S. Marshal* or (Amount of Refund*) \$0.00
--------------------	--	-----------------------	----------------------	-------------------------	---

REMARKS: * Served BY FAX per Request of GARY N. PUA
Alt Contact info: Cell # 702-574-1627
GARY.PUA@MYLASVEGASculinaryART.com

PRINT 5 COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

INSTRUCTIONS FOR SERVICE OF PROCESS BY U.S. MARSHAL

Please type or print legibly, insuring readability of all copies. DO NOT DETACH ANY COPIES. Submit one complete set of this form (USM-285) and one copy of each writ for each individual, company, corporation, etc., to be served or property to be seized or condemned. The applicable fees for such service(s) (T28, USC Sec. 1921 establishes the fees for service of process by the U.S. Marshal) may be required prior to said service.

For service of any process upon an officer or agent of the United States Government, submit a copy of the writ and a set of Form USM-285 for each officer or agent upon whom service is desired. Submit three (3) additional copies of the writs for service upon the Government of the United States. The U.S. Marshal will serve one (1) upon the U.S. Attorney and will forward two (2) to the Attorney General of the United States. (When the applicable box is checked, completion of the final signature block by the U.S. Marshal or his Deputy always certifies service on the U.S. Attorney and the Attorney General, regardless of whether other defendants on the writ were served.) Failure to provide any of the copies will delay service of the writ.

Complete all entries above the double line. Mark all applicable check boxes and use the "Special Instructions" to advise of any information that will assist the U.S. Marshal in expediting service.

If more than one writ and USM-285 is submitted on a single case, the U.S. Marshal will receipt for all of them on the first USM-285. You will receive for your records the last (No. 5) "Acknowledgment of Receipt" copy for all the USM-285 forms you submit. When the writ is served, you will receive the No. 3 Notice of Service copy. This copy will be identical to the return to the Clerk of the Court.

Upon completion of all services (if the Marshals fees were not requested or tendered in advance or if additional fees are indicated), you will receive a "Billing Statement" (copy 4 of USM-285) from the United States Marshal. (NOTE: Copy 4 should be returned, by you, to the U.S. Marshal, together with your payment of the amount owed.

Additional supplies of the USM-285 may be obtained from the Clerk of the U.S. District Court or U.S. Marshal, without cost.

MESSAGE CONFIRMATION

APR-11-2008 11:24 FRI

FAX NUMBER : 670 236 2956
NAME : USMS D/NMI OS SAIPAN

NAME/NUMBER : 917024583799
PAGE : 15
START TIME : APR-11-2008 11:22 FRI
ELAPSED TIME : 02' 02"
MODE : STD ECM
RESULTS : [O.K]



UNITED STATES MARSHALS SERVICE

District of the Northern Mariana Islands
Horiguchi Building, 1st FL; Kopa Di Oru St.
PO Box 500570 Saipan MP 96950

OFFICE TELEPHONE: 670-236-2950 FAX: 670-236-2956

TO: Mr Gary N. Pua

ORGANIZATION: Las Vegas Culinary Art

PHONE NO.: 702-574-1627 FAX NO.: 702-458-3799

FROM: CIDUSM W. Calvert

DATE: 04-11-2008 PAGES: 14 (EXCLUDING COVER PAGE)

COMMENTS:

Per our phone conversation in reference to the SUBPOENA by the US Attorney's Office (USAO) for the District of the Northern Mariana Islands in case # CR-04-00019. Please review the 18 point check list and the 8 page question data sheet. I am aware of your contact with the USAO to resolve this issue. This service by fax is in lieu of Registered mail per our conversation in order to expedite your receipt of these legal documents to provide you more time to respond. A copy of the fax transmittal sheet will be filed along with the SUBPEONA process documents to reflect that you have been served by our office. No further action is required by us on your behalf. Please address all questions to the USAO on Guam as you have been doing to this date. Thank you and good luck on your training.

WARNING: Information attached to this cover sheet is U.S. Government property. If you are not the intended recipient of this information, disclosure, reproduction, distribution, or use of this information is prohibited (18 USC 641). Please notify the originator or local USMS office immediately to arrange for proper disposition. **NOTE: THIS FAX COVER PAGE SHOULD NOT BE USED TO FAX CLASSIFIED INFORMATION.**

PRECEDENCE: ☒ IMMEDIATE ☐ PRIORITY ☐ ROUTINE
CLASSIFICATION: ☒ SENSITIVE ☐ NON-SENSITIVE

Issued by the
UNITED STATES DISTRICT COURT

DISTRICT OF THE NORTHERN MARIANA ISLANDS

UNITED STATES OF AMERICA

SUBPOENA

V.

GARY NATHAN PUA

Case Number: CR 04-00019

TO: Gary Nathan Pua
P.O. Box XXXXXX
Saipan, MP 96950

YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

☒ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION U.S. Attorney's Office, 3rd Floor Horiguchi Building, Garapan, MP	DATE AND TIME May 21, 2008 at 4:00 p.m.
---	--

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):


SEE ATTACHED NOTICE OF INTENT TO TAKE ORAL DEPOSITION WITH SUBPOENA DUCES TECUM

PLACE	DATE AND TIME

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT) 	DATE 3 6 8
--	---------------

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER MIKEL W. SCHWAB, Assistant U.S. Attorney JESSICA F. CRUZ, Assistant U.S. Attorney U.S. Attorney's Office, Sirena Plaza, Ste. 500, 108 Hernan Cortez Ave., Hagatna, GU 96910	TEL: 671-472-7332
---	-------------------

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on next page)

1 If action is pending in district other than district of issuance, state district under case number.

ORIGINAL

PROOF OF SERVICE

DATE PLACE

SERVED

SERVED ON (PRINT NAME)

MANNER OF SERVICE

SERVED BY (PRINT NAME)

TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Parts C & D:
(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fees.

(2)(A) A person commanded to produce and permit inspections and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance,

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order

to attend trial be commanded to travel any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.